HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11063 of 2026

Nasir Khan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Mohammad Waseem
Counsel for Opposite Party(s)	:	G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Heard Learned counsel for the applicant and Learned A.G.A. for the State as well as perused the record.

2. The present anticipatory bail application has been filed on behalf of the applicant in Case Crime No.0502 of 2025, under Sections 318(4), 338, 336(3), 340(2), 61(2), 62 of BNS, P.S.- Kotwali, District- Bareilly, with a prayer to enlarge him on anticipatory bail as the applicant apprehends his arrest in the abovementioned case.

3. Learned counsel for the applicant submits that the false and frivolous F.I.R. has been lodged on 04.10.2025 for the incident dated 26.09.2025, wherein it is alleged in the F.I.R. that the two co-accused have prepared a document pertaining to call a sit in protest, which carries the forged signature of the informant. The F.I.R. is against two persons. The applicant has not been named in the F.I.R. The applicant has a criminal history of 18 cases, out of which 11 cases are cases which relate to the so-called 'Bareilly riots'. In the seven other cases mentioned in the criminal antecedents of the applicant, the applicant is not a previous convict. Similarly situated co-accused Mohammad Naeem Qureshi, Mohd. Muveen and Mohd. Faizan have been granted anticipatory bail by this Court in NABAIL No.3971 of 2026. The applicant wants to cooperate in the investigation, but apprehending arrest and hence, seeks anticipatory bail.

4. Learned A.G.A. has opposed the prayer for anticipatory bail, however, could not dispute the factual submissions made by the Learned counsel for the applicant.

5. I have considered the submissions made by the Learned counsels for the parties.

6. The applicant is not named in the FIR. No specific role has been assigned to the applicant. The applicant has satisfactorily explained his criminal antecedents. Similarly situated co-accused have been granted anticipatory bail by this Court.

7. Taking into account the facts and circumstances of the case, I deem it appropriate to enlarge applicant on anticipatory bail.

8. In view of the above, the anticipatory bail application of the applicant is ***allowed***.

9. In the event of the arrest of the applicant-**Nasir Khan**, he shall be released forthwith in the aforesaid case crime on anticipatory bail on furnishing a personal bond and surety to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make himself available for interrogation by a police officer as and when required;

ii. that the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

10. In case of breach of any of the above conditions, the Court concerned

shall be at liberty to cancel the bail.

11. It is made clear that observations made hereinabove are exclusively for deciding the instant anticipatory bail application and are not to be considered to be an opinion on the merits of the case.

(Rajiv Lochan Shukla,J.)

October 23, 2026
A. Pandey

Digitally signed by :-
ANAND PANDEY
High Court of Judicature at Allahabad